IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH AT HYDERABAD

THE HONOURABLE SRI JUSTICE L.NARASIMHA REDDY

WRIT PETITION NO.10616 OF 2007

DATED 26-06-2007

BETWEEN

G.Mutyalappa So Gangapa

.. PETITIONER

And

The APSRTC rep by its Managing Director,
Musheerabad, Hyderabad and 3 others.

.. RESPONDENTS

THE HONOURABLE SRI JUSTICE L.NARASIMHA REDDY

WRIT PETITION NO.10616 of 2007

Oral Order:

The petitioner was assigned the contract of online booking of tickets for long distance district buses operating from Kempegowda Bus Station at Bangalore for a period of three years on 1.6.2004. The contract provided for extension of the term by one year in case the performance during the initial period is satisfactory. The respondent addressed a letter dated 23.4.2007 stating that the petitioner is not entitled for extension of the term on the ground that his brother-in-law

was involved in a ticket scam in the Bangalore Bus Station. The petitioner challenges the same.

Heard the learned counsel for the petitioner and the learned standing counsel for the respondent Corporation.

It is not in dispute that the petitioner had successfully completed the three years term ever since the contract has been awarded. The contract provides for extension of the term by one year. The extension depends upon the satisfactory performance of the contract for the initial period of three years. There would have been justification for the respondents to deny extension if only anything adverse was noticed from the petitioner as regards the performance in the original period of three years. The impugned letter does not refer to any defects as to performance during that period. The mere fact that a close or distant relation of the petitioner was involved in an otherwise unlawful activity does not constitute any basis for denial of any benefit to the petitioner under the contract.

Hence, the writ petition is allowed and the impugned letter is set aside. The respondent is directed to examine the matter afresh exclusively with reference to the performance of the petitioner during the three year term. If the performance of the petitioner is found to be satisfactory, no other factor shall be taken into account and necessary order shall be passed within two weeks from the date of receipt of this order.

L.NARASIMHA REDDY,J

Dated 26.6.2007
msv